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Human Rights Council
Thirty-ninth session
10–28 September 2018
Agenda item 1
Organizational and procedural matters

Agenda and annotations

Agenda

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9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action.
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Annotations

1. Organizational and procedural matters

Date and venue of the session

1. In accordance with its annual programme of work, as considered on 4 December 2017 at the organizational session for its twelfth cycle, the Human Rights Council will hold its thirty-ninth session from 10 to 28 September 2018 at the United Nations Office at Geneva.

2. In accordance with rule 8 (b) of the rules of procedure of the Human Rights Council, as contained in section VII of the annex to Council resolution 5/1, the organizational meeting for the thirty-ninth session will be held on 27 August 2018.

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Agenda of the session

3. The agenda of the Human Rights Council is contained in section V of the annex to Council resolution 5/1. The Council will have before it the present annotations relating to items included in the agenda for the thirty-ninth session.

Composition of the Human Rights Council

4. The composition of the Human Rights Council at its thirty-ninth session is as follows:[1] Afghanistan (2020); Angola (2020); Australia (2020); Belgium (2018); Brazil (2019); Burundi (2018); Chile (2020); China (2019); Côte d'Ivoire (2018); Croatia (2019); Cuba (2019); Democratic Republic of the Congo (2020); Ecuador (2018); Egypt (2019); Ethiopia (2018); Georgia (2018); Germany (2018); Hungary (2019); Iceland (2019); Iraq (2019); Japan (2019); Kenya (2018); Kyrgyzstan (2018); Mexico (2020); Mongolia (2018); Nepal (2020); Nigeria (2020); Pakistan (2020); Panama (2018); Peru (2020); Philippines (2018); Qatar (2020); Republic of Korea (2018); Rwanda (2019); Saudi Arabia (2019); Senegal (2020); Slovakia (2020); Slovenia (2018); South Africa (2019); Spain (2020); Switzerland (2018); Togo (2018); Tunisia (2019); Ukraine (2020); United Arab Emirates (2018); United Kingdom of Great Britain and Northern Ireland (2019); and Venezuela (Bolivarian Republic of) (2018).

Bureau of the Human Rights Council

5. At its organizational session held on 4 December 2017, and its organizational meetings held on 10 January, 7 May and 4 June 2018, the Human Rights Council elected the following members of the Bureau for its twelfth cycle, which runs from 1 January to 31 December 2018:

President	Vojislav Šuc (Slovenia)
Vice-Presidents	Evan P. Garcia (Philippines) François Xavier Ngarambé (Rwanda) Cristóbal González-Aller Jurado (Spain)
Vice-President and Rapporteur	Juan Eduardo Eguiguren (Chile)

Selection and appointment of mandate holders

6. In accordance with paragraph 47 of the annex to Human Rights Council resolution 5/1, paragraph 22 of the annex to Council resolution 16/21 and the requirements set out in Council decision 6/102, the members of the Consultative Group for the selection of mandate holders to be appointed at the thirty-ninth session of the Human Rights Council are: Negash Kebret Botora (Ethiopia), Victor Arturo Cabrera Hidalgo (Ecuador), Kok Jwee Foo (Singapore), Aviva Raz Shechter (Israel) and Vaqif Sadiqov (Azerbaijan). The Group will propose to the President of the Council a list of candidates for the following mandates: Special Rapporteur on the situation of human rights in Belarus and Special Rapporteur on the situation of human rights in Eritrea.

7. In accordance with the procedure stipulated in paragraphs 52 and 53 of the annex to Human Rights Council resolution 5/1, the appointment of special procedure mandate holders will be completed upon the subsequent approval by the Council. The mandate holders in question will be appointed before the end of the thirty-ninth session.

Election of members of the Human Rights Council Advisory Committee

8. At its seventh session, the Human Rights Council conducted the first elections of the 18 members of the Advisory Committee. Four members were elected for a one-year term, seven for a two-year term and seven for a three-year term.

9. Pursuant to Council decision 18/121, the term of office of four members of the Advisory Committee will end on 30 September 2018.

[1] The term of membership of each State expires at the end of the year indicated in parentheses.

10. At its thirty-ninth session, the Human Rights Council will elect Advisory Committee members for the four vacant seats, one from the Group of African States, one from the Group of Asia-Pacific States, one from the Group of Latin American and Caribbean States and one from the Group of Western European and other States.

11. Paragraph 70 of the annex to resolution 5/1 provides that the Human Rights Council shall elect the members of the Advisory Committee, in secret ballot, from the list of candidates whose names have been presented in accordance with the agreed requirements.

12. Pursuant to paragraph 67 of the annex to resolution 5/1, the Human Rights Council adopted decision 6/102 containing technical and objective requirements for the submission of candidatures for members of the Advisory Committee, with the aim of ensuring that the best possible expertise is made available to the Council.

13. In accordance with paragraph 71 of the annex to Human Rights Council resolution 5/1, the list of candidates for the four vacant seats and relevant information have been made available to Member States and to the public in a note by the Secretary-General (A/HRC/39/74).

Report on the session

14. At the end of its thirty-ninth session, the Human Rights Council will have before it for adoption a draft report prepared by the Rapporteur. It will contain a technical summary of the proceedings of the session.

2. Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

15. All reports of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner for Human Rights (OHCHR) and the Secretary-General are submitted under agenda item 2, which remains an open-ended item throughout the session. The reports will be considered under the relevant agenda items, as appropriate. The specific timing of their introduction will be reflected in the programme of work.

Composition of staff of OHCHR

16. Pursuant to its resolution 36/1, the Human Rights Council will consider the report of the High Commissioner on the geographical composition of the staff of OHCHR and the actions taken within the current staff selection system to achieve an equitable geographical representation of the Office (A/HRC/39/22).

Mission by OHCHR to improve the human rights situation and accountability in Burundi

17. In its resolution 36/2, the Human Rights Council requested OHCHR to urgently dispatch a team of three experts to engage with the Burundian authorities and all other stakeholders, in particular United Nations agencies and the African Union, to collect and preserve information, to determine the facts and circumstances in accordance with international standards and practice, in cooperation with the Government of Burundi, and to forward to the judicial authorities of Burundi such information in order to establish the truth and ensure that the perpetrators of deplorable crimes are all accountable to the judicial authorities of Burundi; and to make recommendations for technical assistance and capacity-building and ways of improving the situation of human rights in the country with a view to providing support to the country in fulfilling its human rights obligations, ensuring accountability and combating impunity. Pursuant to the same resolution, the High Commissioner will present his final report on the mission of OHCHR during an interactive dialogue (A/HRC/39/40).

Mental health and human rights

18. Reference is made to the report of the High Commissioner on the outcome of the consultation on the fulfilment of a human rights perspective in mental health (A/HRC/39/36) (see para. 44 below).

Question of the death penalty

19. Reference is made to the report of the Secretary-General on capital punishment and the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty (A/HRC/39/19) (see para. 47 below).

The right to privacy in the digital age

20. Reference is made to the report of the High Commissioner on the expert workshop on principles, standards and best practices regarding the promotion and protection of the right to privacy in the digital age (A/HRC/39/29) (see para. 50 below).

Equal participation in political and public affairs

21. Reference is made to the report of OHCHR on the draft guidelines on the effective implementation of the right to participate in public affairs (A/HRC/39/28) (see para. 51 below).

Birth registration and the right of everyone to recognition everywhere as a person before the law

22. Reference is made to the report of the High Commissioner on best practices and specific measures to ensure access to birth registration (A/HRC/39/30) (see para. 52 below).

Right to development

23. Reference is made to the consolidated report of the Secretary-General and the High Commissioner on the right to development (A/HRC/39/18) (see para. 57 below).

Rights of indigenous peoples

24. Reference is made to the report of the High Commissioner on the rights of indigenous peoples (A/HRC/39/37) (see para. 61 below).

Human rights of older persons

25. Reference is made to the summary report of the High Commissioner on the one-day intersessional seminar on the impact of the implementation by States of their obligations under relevant provisions of international human rights law with regard to the role of the family in supporting the protection and promotion of the human rights of older persons (A/HRC/39/32) (see para. 65 below).

Youth and human rights

26. Reference is made to the report of the High Commissioner on the implementation of human rights with regard to young people (A/HRC/39/33) (see para. 66 below).

Preventable maternal mortality and morbidity and human rights

27. Reference is made to the report of the High Commissioner on good practices and challenges in the application of a human rights-based approach to the elimination of preventable mortality and morbidity (A/HRC/39/26) (see para. 67 below).

Preventable mortality and morbidity of children under 5 years of age as a human rights concern

28. Reference is made to the summary report of the High Commissioner on the expert workshop to discuss experiences in preventing mortality and morbidity of children under 5 years of age (A/HRC/39/25) (see para. 68 below).

The full enjoyment of human rights by all women and girls and the systematic mainstreaming of a gender perspective into the implementation of the 2030 Agenda for Sustainable Development

29. Reference is made to the report of the High Commissioner on the outcome of the two-day intersessional expert meeting to consider gaps in, challenges to and best practices aimed at the full enjoyment of human rights by all women and girls and the systematic mainstreaming of a gender perspective into the implementation of the 2030 Agenda (A/HRC/39/34) (see para. 69 below).

World Programme for Human Rights Education

30. Reference is made to the report of OHCHR on the target sectors, focus areas or thematic human rights issues for the fourth phase of the World Programme for Human Rights Education (A/HRC/39/35) (see para. 71 below).

The safety of journalists

31. Reference is made to the report of the High Commissioner on mechanisms concerned with ensuring the safety of journalists (A/HRC/39/23) (see para. 76 below).

The role of prevention in the promotion and protection of human rights

32. Reference is made to the report of OHCHR on the expert workshop on the role and contribution of civil society organizations, academia, national human rights institutions and other relevant stakeholders in the prevention of human rights abuses (A/HRC/39/24) (see para. 77 below).

Promotion of the right to peace

33. Reference is made to the summary report of the High Commissioner on the half-day intersessional workshop on the right to peace (A/HRC/39/31) (see para. 78 below).

Contribution to the implementation of the joint commitment to effectively addressing and countering the world drug problem with regard to human rights

34. Reference is made to the report of OHCHR on the implementation of the joint commitment to effectively addressing and countering the world drug problem with regard to human rights (A/HRC/39/39) (see para. 79 below).

High-level intersessional discussion celebrating the centenary of Nelson Mandela

35. Reference is made to the report of OHCHR on the high-level intersessional discussion celebrating the centenary of Nelson Mandela (A/HRC/39/38) (see para. 80 below).

Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

36. Reference is made to the report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights (A/HRC/39/41) (see para. 95 below).

National institutions for the promotion and protection of human rights

37. Reference is made to the reports of the Secretary-General on the implementation of Council resolution 33/15, and on the activities of the Global Alliance of National Human Rights Institutions in accrediting national institutions in compliance with the Paris Principles (A/HRC/39/20 and 21) (see para. 100 below).

From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance

38. Reference is made to the oral update by the High Commissioner on the follow-up to the implementation of the programme of activities within the framework of the International Decade for People of African Descent (see para. 102 below).

Technical assistance and capacity-building to improve human rights in Libya

39. Reference is made to the oral update by the High Commissioner on the situation of human rights in Libya and the implementation of Council resolution 37/41 (see para. 107 below).

Human rights, technical assistance and capacity-building in Yemen

40. Reference is made to the report of the High Commissioner on the human rights situation in Yemen, including violations and abuses since September 2014, and on the implementation of technical assistance as stipulated in Council resolution 36/31 (A/HRC/39/43) (see para. 108 below).

Technical assistance and capacity-building in the field of human rights in the Democratic Republic of the Congo

41. Reference is made to the report of OHCHR on the situation of human rights in the Democratic Republic of the Congo, including in the context of the electoral process (A/HRC/39/42) (see para. 109 below).

Cooperation with Georgia

42. Reference is made to the report of the High Commissioner on developments relating to and the implementation of Council resolution 37/40 on cooperation with Georgia (A/HRC/39/44) (see para. 110 below).

Cooperation with and assistance to Ukraine in the field of human rights

43. Reference is made to the oral presentation by the High Commissioner on the situation of human rights in Ukraine (see para. 111 below).

3. Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Economic, social and cultural rights

Mental health and human rights

44. In its resolution 36/13, the Human Rights Council requested the High Commissioner to organize a consultation lasting one and a half days, no later than during the seventy-first session of the World Health Assembly, to discuss all relevant issues and challenges pertaining to the fulfilment of a human rights perspective in mental health, the exchange of best practices and the implementation of technical guidance in that regard. In the same resolution, the Council requested the High Commissioner to prepare a report on the outcome of the consultation, to be presented to the Council at its thirty-ninth session, in which he would identify strategies to promote human rights in mental health and to eliminate discrimination, stigma, violence, coercion and abuse in that regard, including through education and the training of all stakeholder groups. The Council will consider the report of the High Commissioner (A/HRC/39/36) (see para. 18 above).

Access to safe drinking water and sanitation

45. In its resolution 33/10, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the human rights to safe drinking water and sanitation, and requested the Special Rapporteur to continue to report to the Council on an annual basis.

The Council will consider the report of the mandate holder, Léo Heller (A/HRC/39/55 and Add.1–2).

Environmentally sound management and disposal of hazardous substances and wastes

46. In its resolution 36/15, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes for a period of three years, and invited him to report to the Council in accordance with its programme of work. The Council will consider the report of the mandate holder, Baskut Tuncak (A/HRC/39/48 and Add.1–2).

Civil and political rights

Question of the death penalty

47. In its decision 18/117, the Human Rights Council requested the Secretary-General to continue to submit a yearly supplement to his quinquennial report on capital punishment and the implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty, paying special attention to the imposition of the death penalty on persons younger than 18 years of age at the time of the offence, on pregnant women and on persons with mental or intellectual disabilities. The Council will consider the report of the Secretary-General (A/HRC/39/19) (see also para. 19 above).

Prevention of genocide

48. Pursuant to its resolution 37/26, the Human Rights Council will hold a high-level panel discussion to commemorate the seventieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide (see annex).

49. Pursuant to the same resolution, the Human Rights Council will also hold an interactive dialogue with the Special Adviser to the Secretary-General on the Prevention of Genocide.

The right to privacy in the digital age

50. In its resolution 34/7, the Human Rights Council requested the High Commissioner to organize, before the thirty-seventh session of the Council, an expert workshop with the purpose of identifying and clarifying principles, standards and best practices regarding the promotion and protection of the right to privacy in the digital age, including the responsibility of business enterprises in that regard, to prepare a report thereon and to submit it to the Council at its thirty-ninth session. The Council will consider the report of the High Commissioner on the expert workshop, held from 19 to 20 February 2018 (A/HRC/39/29) (see para. 20 above).

Equal participation in political and public affairs

51. In its resolution 33/22, the Human Rights Council requested OHCHR to prepare concise and action-oriented draft guidelines as a set of orientations for States on the effective implementation of the right to participate in public affairs, as set out in article 25 of the International Covenant on Civil and Political Rights and as further elaborated on in other relevant provisions under international human rights law, and to present the draft guidelines to the Council at its thirty-ninth session in order to allow the Council to take a decision on the way forward. The Council will consider the report of OHCHR (A/HRC/39/28) (see para. 21 above).

Birth registration and the right of everyone to recognition everywhere as a person before the law

52. In its resolution 34/15, the Human Rights Council requested the High Commissioner to prepare a report on best practices and specific measures to ensure access to birth registration, particularly for those children most at risk, marginalized and living in situations of conflict, poverty, emergency and vulnerability, including children belonging to

minority groups, children with disabilities, indigenous children and children of migrants, asylum seekers, refugees and stateless persons, taking into account the commitment to implement target 16.9 of the Sustainable Development Goals, and to submit the report to the Council at its thirty-ninth session. The Council will consider the report of the High Commissioner (A/HRC/39/30) (see para. 22 above).

Contemporary forms of slavery

53. In its resolution 33/1, the Human Rights Council decided to renew the mandate of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, for a period of three years, and requested the Special Rapporteur to submit reports on the implementation of the mandate to the Council in accordance with its annual programme of work. The Council will consider the report of the mandate holder, Urmila Bhoola (A/HRC/39/52 and Add.1).

Arbitrary detention

54. In its resolution 33/30, the Council decided to extend the mandate of the Working Group on Arbitrary Detention for a further period of three years. The Council will consider the report of the Working Group (A/HRC/39/45 and Add. 1–2).

Enforced or involuntary disappearances

55. In its resolution 36/6, the Human Rights Council decided to extend the mandate of the Working Group on Enforced or Involuntary Disappearances for a further period of three years, in conformity with the terms set forth in Council resolution 7/12. The Council will consider the report of the Working Group (A/HRC/39/46 and Add.1–2).

Truth, justice, reparation and guarantees of non-recurrence

56. In its resolution 36/7, the Human Rights Council decided to extend for a period of three years the mandate of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, and requested the Special Rapporteur to continue to report annually to the Council. The Council will consider the report of the new mandate holder, Fabián Salvioli (A/HRC/39/53 and Add.1).

Right to development

57. In its resolution 36/9, the Human Rights Council requested the High Commissioner to continue to submit to it an annual report on the activities of OHCHR that have direct relevance to the realization of the right to development, and to provide an analysis of its implementation. In its resolution 72/167, the General Assembly requested the Secretary-General to submit an interim report to the Council on the implementation of that resolution, including efforts undertaken at the national, regional and international levels in the promotion and realization of the right to development. The Council will consider the consolidated report of the Secretary-General and the High Commissioner (A/HRC/39/18) (see para. 23 above).

58. In its resolution 33/14, the Human Rights Council decided to appoint, for a period of three years, a Special Rapporteur on the right to development and requested the Special Rapporteur to submit an annual report to the Council covering all activities relating to the mandate. The Council will consider the report of the mandate holder, Saad Alfarargi (A/HRC/39/51).

59. In its resolutions 9/3, 27/2 and 36/9, the Human Rights Council decided that the Working Group on the Right to Development should convene annual sessions of five working days and submit its reports to the Council. The Council will have before it the report of the Working Group on its nineteenth session, held from 23 to 27 April 2018 (A/HRC/39/56).

Rights of peoples and of specific groups and individuals

Human rights of indigenous peoples

60. Pursuant to its resolutions 18/8 and 36/14, the Human Rights Council will hold an annual half-day panel discussion focusing on the means of participation for and the inclusion of indigenous peoples in the development of strategies and projects, and the implementation of those projects in the context of the 2030 Agenda for Sustainable Development and related Goals (see annex).

61. Also in its resolution 36/14, the Human Rights Council requested the High Commissioner to continue to submit to it an annual report on the rights of indigenous peoples containing information on relevant developments in human rights bodies and mechanisms and the activities undertaken by OHCHR at headquarters and in the field that contribute to the promotion of, respect for and the full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples, and follow-up on the effectiveness of the Declaration. The Council will consider the report of the High Commissioner (A/HRC/39/37) (see para. 24 above).

62. In its resolution 33/12, the Human Rights Council decided to extend the mandate of the Special Rapporteur on the rights of indigenous peoples for a further period of three years and requested the Special Rapporteur to submit a report to the Council on the implementation of the mandate. The Council will consider the report of the mandate holder, Victoria Tauli Corpuz (A/HRC/39/17 and Add.1–3).

63. Reference is also made to the reports of the Expert Mechanism on the Rights of Indigenous Peoples (A/HRC/39/62 and 68) (see paras. 90–91 below).

Human rights of older persons

64. In its resolution 33/5, the Human Rights Council decided to extend the mandate of the Independent Expert on the enjoyment of all human rights by older persons for a period of three years. The Council will consider the report of the mandate holder, Rosa Kornfeld-Matte (A/HRC/39/50 and Add.1–2).

65. Pursuant to its resolution 35/13, the Human Rights Council will have before it the summary report of the High Commissioner on the one-day intersessional seminar on the impact of the implementation by States of their obligations under relevant provisions of international human rights law with regard to the role of the family in supporting the protection and promotion of the human rights of older persons, held on 11 June 2018 (A/HRC/39/32) (see para. 25 above).

Youth and human rights

66. In its resolution 35/14, the Human Rights Council requested the High Commissioner to conduct a detailed study on the implementation of human rights with regard to young people, the identification of cases of discrimination against young people in the exercise of their human rights and best practices in the full and effective enjoyment of human rights by young people, highlighting the contribution of empowered youth to the realization of human rights in society, to be submitted to the Council prior to its thirty-ninth session. The Council will consider the report of the High Commissioner (A/HRC/39/33) (see para. 26 above).

Preventable maternal mortality and morbidity and human rights

67. In its resolution 33/18, the Human Rights Council requested the High Commissioner to prepare a follow-up report on good practices and challenges in the application of a human rights-based approach to the elimination of preventable maternal mortality and morbidity, including through the utilization of technical guidance by States and other relevant actors, including the United Nations Population Fund, the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women and the World Health Organization, and to present it to the

Council at its thirty-ninth session. The Council will consider the report of the High Commissioner (A/HRC/39/26) (see para. 27 above).

Preventable mortality and morbidity of children under 5 years of age as a human rights concern

68. Pursuant to its resolution 33/11, the Human Rights Council will have before it the summary report of the High Commissioner on the expert workshop to discuss experiences in preventing mortality and morbidity of children under 5 years of age, held from 27 to 28 June 2017 (A/HRC/39/25) (see para. 28 above).

The full enjoyment of human rights by all women and girls and the systematic mainstreaming of a gender perspective into the implementation of the 2030 Agenda for Sustainable Development

69. In its resolution 36/8, the Human Rights Council requested the High Commissioner to organize a two-day intersessional expert meeting to consider gaps in, challenges to and best practices aimed at the full enjoyment of human rights by all women and girls and the systematic mainstreaming of a gender perspective into the implementation of the 2030 Agenda, to prepare a report on the outcome of the meeting and to present the report to the Council at its thirty-ninth session. The Council will consider the report of the High Commissioner (A/HRC/39/34) (see para. 29 above).

Interrelation of human rights and human rights thematic issues

The need for an integrated approach to the implementation of the 2030 Agenda for Sustainable Development for the full realization of human rights, focusing holistically on the means of implementation

70. In its resolution 37/25, the Human Rights Council decided to invite the President of the Economic and Social Council, commencing in 2018, to brief, on an annual basis, the Council, during one of its regular sessions, on the discussions of the high-level political forum, including on gaps, challenges and progress in the implementation of the 2030 Agenda, focusing on the means of implementation taken together as an integrated package. The Council will accordingly hear the briefing by the President of the Economic and Social Council.

World Programme for Human Rights Education

71. In its resolution 36/12, the Human Rights Council requested OHCHR to seek the views of States, national human rights institutions, civil society organizations and other relevant stakeholders on the target sectors, focus areas or thematic human rights issues for the fourth phase of the World Programme, bearing in mind possible synergies with the 2030 Agenda for Sustainable Development and other relevant initiatives on human rights education and training, and to submit a report thereon to the Council at its thirty-ninth session. The Council will consider the report of OHCHR (A/HRC/39/35) (see para. 30 above).

Human rights and unilateral coercive measures

72. In its resolution 36/10, the Human Rights Council decided to extend for a period of three years the mandate of the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. In its resolution 37/21, the Council requested the Special Rapporteur to identify a set of elements to be considered, as appropriate, in the preparation of a draft United Nations declaration on the negative impact of unilateral coercive measures on the enjoyment of human rights, and to submit those elements to the Council in his next report. The Council will consider the report of the mandate holder, Idriss Jazairy (A/HRC/39/54 and Add.1–2).

Promotion of a democratic and equitable international order

73. In its resolution 36/4, the Human Rights Council decided to renew the mandate of the Independent Expert on the promotion of a democratic and equitable international order for a period of three years, in conformity with the terms set forth in Council resolution 18/6, and requested the Independent Expert to report regularly to the Council in accordance with its programme of work. The Council will consider the report of the new mandate holder, Livingstone Sewanyana (A/HRC/39/47 and Add.1).

Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

74. In its resolution 36/3, the Human Rights Council requested the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination to consult States, intergovernmental and non-governmental organizations and other relevant civil society actors in the implementation of that resolution, and to report its findings to the Council at its thirty-ninth session. The Council will consider the report of the Working Group (A/HRC/39/49 and Add.1–2).

Open-ended intergovernmental working group to elaborate the content of an international regulatory framework on the regulation, monitoring and oversight of the activities of private military and security companies

75. In its resolution 36/11, the Human Rights Council decided to establish a new open-ended intergovernmental working group, for a period of three years, with a mandate to elaborate the content of an international regulatory framework, without prejudging the nature thereof, to protect human rights and ensure accountability for violations and abuses relating to the activities of private military and security companies. In the same resolution, the Council also decided that the working group should meet for five working days and submit an annual progress report to the Council in conformity with its annual programme of work. The Council will have before it a note by the Secretariat on this matter (A/HRC/39/57).

The safety of journalists

76. In its resolution 33/2, the Human Rights Council requested the High Commissioner to prepare a report with an overview of available mechanisms concerned with ensuring the safety of journalists, including existing international and regional prevention, protection, monitoring and complaint mechanisms, with a view to providing an analysis of their effectiveness, in consultation with States, the mechanisms themselves and all other relevant stakeholders, and to submit it to the Council at its thirty-ninth session. The Council will consider the report of the High Commissioner (A/HRC/39/23) (see para. 31 above).

The role of prevention in the promotion and protection of human rights

77. Pursuant to its resolution 33/6, the Human Rights Council will consider the summary report of OHCHR on the expert workshop on the role and contribution of civil society organizations, academia, national human rights institutions and other relevant stakeholders in the prevention of human rights abuses, held from 21 to 22 February 2018 (A/HRC/39/24) (see para. 32 above).

Promotion of the right to peace

78. Pursuant to its resolution 35/4, the Human Rights Council will have before it the summary report of the High Commissioner on the half-day intersessional workshop on the right to peace, held on 14 June 2018 (A/HRC/39/31) (see para. 33 above).

Contribution to the implementation of the joint commitment to effectively addressing and countering the world drug problem with regard to human rights

79. In its resolution 37/42, the Human Rights Council requested OHCHR to prepare a report, in consultation with States, the United Nations Office on Drugs and Crime and other United Nations agencies, civil society and other relevant stakeholders, on the

implementation of the joint commitment to effectively addressing and countering the world drug problem with regard to human rights, and to present it to the Council at its thirty-ninth session. The Council will consider the report of OHCHR (A/HRC/39/39) (see para. 34 above).

High-level intersessional discussion celebrating the centenary of Nelson Mandela

80. Pursuant to its resolution 37/15, the Human Rights Council will have before it the summary report of OHCHR on the high-level intersessional discussion celebrating the centenary of Nelson Mandela, held on 27 April 2018 (A/HRC/39/38) (see para. 35 above).

4. Human rights situations that require the Council's attention

Situation of human rights in Burundi

81. In its resolution 36/19, the Human Rights Council decided to extend for a period of one year the mandate of the Commission of Inquiry on Burundi and requested the Commission to present a final report to the Council during an interactive dialogue at its thirty-ninth session. The Council will consider the final report of the Commission (A/HRC/39/63).

Situation of human rights in South Sudan

82. In its resolution 37/31, the Human Rights Council decided to extend the mandate of the Commission on Human Rights in South Sudan for a period of one year, renewable as authorized by the Council. In the same resolution, the Council requested the Commission to present an oral update to the Council at its thirty-ninth session in an interactive dialogue. The Council will accordingly hear the oral update by the Commission.

Situation of human rights in Myanmar

83. In its decision 36/115, the Human Rights Council decided to extend the mandate of the independent international fact-finding mission on Myanmar and to request it to submit its final report for consideration by the Council at its thirty-ninth session, to be followed by an interactive dialogue. The Council will consider the final report of the fact-finding mission (A/HRC/39/64).

Human rights situation in the Syrian Arab Republic

84. In its resolution 37/29, the Human Rights Council decided to extend for one year the mandate of the Independent International Commission of Inquiry on the Syrian Arab Republic and requested the Commission to present an updated written report to the Council during an interactive dialogue at its thirty-ninth and fortieth sessions. The Council will consider the updated written report of the Commission of Inquiry (A/HRC/39/65).

5. Human rights bodies and mechanisms

Human Rights Council Advisory Committee

85. The Advisory Committee held its twentieth session from 19 to 23 February 2018 and its twenty-first session from 6 to 10 August 2018. In accordance with paragraph 80 of the annex to Human Rights Council resolution 5/1 and decision 18/121, the Council will consider the annual report of the Advisory Committee, which will consist of the reports of the Committee on those sessions and will be the subject of an interactive dialogue with the Chair of the Committee (A/HRC/39/66).

86. In its resolution 34/3, the Human Rights Council requested the Advisory Committee to submit a final report on the activities of vulture funds and their impact on human rights to the Council at its thirty-ninth session. Subsequently, in its resolution 37/11, the Council requested the Committee to submit the final report at its forty-first session. The Council will therefore have before it a note by the Secretariat on this matter (A/HRC/39/59).

87. In its resolution 34/8, the Council requested the Advisory Committee to conduct a study and prepare a report on the negative effects of terrorism on the enjoyment of all human rights and fundamental freedoms, with a particular focus on economic, social and cultural rights, and to present the report to the Council at its thirty-ninth session, to be discussed during the interactive dialogue. Further to the decision adopted by the Council on 6 July 2018 to endorse the request of the Advisory Committee to extend the deadline for the submission of the report until the forty-second session, the Council will have before it a note by the Secretariat on this matter (A/HRC/39/60).

88. In its resolution 34/11, the Council requested the Advisory Committee to conduct a study, in continuation of the study requested by the Council in its resolution 31/22, on the possibility of utilizing non-repatriated illicit funds and to submit the requested study to the Council at its thirty-ninth session. Further to the decision adopted by the Council on 6 July 2018 to endorse the request of the Advisory Committee to extend the deadline for the submission of the report until the forty-second session, the Council will have before it a note by the Secretariat on this matter (A/HRC/39/61).

89. In its decision 32/115, the Council requested the Advisory Committee to prepare a report on regional arrangements for the promotion and protection of human rights, in particular on the progress made in the establishment of regional and subregional arrangements for the promotion and protection of human rights, and their achievements in all regions of the world, and on the role played by OHCHR, as well as on the role that it can play in the future in advancing cooperation between international and regional human rights mechanisms, and to identify ways to increase the role that regional arrangements play in promoting and protecting human rights and to reinforce universal human rights standards, including as contained in international human rights instruments, and to submit the report to the Council before its thirty-ninth session. The Council will consider the report of the Committee (A/HRC/39/58).

Expert Mechanism on the Rights of Indigenous Peoples

90. In its resolution 33/25, the Council decided that the Expert Mechanism on the Rights of Indigenous Peoples should report at least once a year to the Council on its work, and keep the Council fully informed of developments on the rights of indigenous peoples. The Council will consider the report of the Expert Mechanism on its eleventh session, held from 9 to 13 July 2018 (A/HRC/39/68).

91. Also in its resolution 33/25, the Council decided that the Expert Mechanism should prepare an annual study on the status of the rights of indigenous peoples worldwide in the achievement of the ends of the United Nations Declaration on the Rights of Indigenous Peoples, focusing on one or more interrelated articles of the Declaration, to be decided by the Expert Mechanism. The Council will consider the annual study of the Expert Mechanism on the theme of free, prior and informed consent (A/HRC/39/62).

92. Reference is made to the annual report of the High Commissioner on the human rights of indigenous peoples (A/HRC/39/37) and to the half-day panel discussion on the rights of indigenous peoples (see paras. 60–61 above and annex).

93. Reference is also made to the report of the Special Rapporteur on the rights of indigenous peoples (A/HRC/39/17 and Add.1–3) (see para. 62 above).

Promotion and protection of the human rights of peasants and other people working in rural areas

94. In its resolution 36/22, the Human Rights Council requested the open-ended intergovernmental working group on a United Nations declaration on the rights of peasants and other people working in rural areas to submit an annual report on progress made to the Council. The Council will consider the report of the working group on its fifth session, held from 9 to 13 April 2018 (A/HRC/39/67).

Cooperation with the United Nations, its representatives and mechanisms in the field of human rights

95. In its resolution 12/2, the Human Rights Council invited the Secretary-General to submit a report to the Council at its fourteenth session, and annually thereafter, containing a compilation and analysis of any available information, from all appropriate sources, on alleged reprisals against those who seek to cooperate or have cooperated with the United Nations, its representatives and mechanisms, as well as recommendations on how to address the issues of intimidation and reprisals. Pursuant to its resolution 36/21, the Council will consider the report of the Secretary-General, followed by an interactive dialogue (A/HRC/39/41) (see para. 36 above).

Special procedures

96. The Human Rights Council will have before it the communications report of special procedures (A/HRC/39/27).

6. Universal periodic review

97. In its resolution 5/1, the Human Rights Council established the universal periodic review mechanism as contained in section I of the annex to that resolution. The Working Group on the Universal Periodic Review held its thirtieth session from 7 to 18 May 2018. At its thirty-ninth session, the Council will consider and adopt the final outcome reports on the review of Azerbaijan (A/HRC/39/14), Bangladesh (A/HRC/39/12), Burkina Faso (A/HRC/39/4), Cabo Verde (A/HRC/39/5), Cameroon (A/HRC/39/15), Canada (A/HRC/39/11), Colombia (A/HRC/39/6), Cuba (A/HRC/39/16), Djibouti (A/HRC/39/10), Germany (A/HRC/39/9), the Russian Federation (A/HRC/39/13), Turkmenistan (A/HRC/39/3), Tuvalu (A/HRC/39/8) and Uzbekistan (A/HRC/39/7).

7. Human rights situation in Palestine and other occupied Arab territories

Violations of international law in the context of large-scale civilian protests in the Occupied Palestinian Territory, including East Jerusalem

98. In its resolution S-28/1, adopted at its twenty-eighth special session held on 18 May 2018, the Human Rights Council decided to urgently dispatch an independent, international commission of inquiry, to be appointed by the President of the Council, to investigate all alleged violations and abuses of international humanitarian law and international human rights law in the Occupied Palestinian Territory, including East Jerusalem, particularly in the occupied Gaza Strip, in the context of the military assaults on the large-scale civilian protests that began on 30 March 2018, whether before, during or after; to establish the facts and circumstances, with assistance from relevant experts and special procedure mandate holders, of the alleged violations and abuses, including those that may amount to war crimes; to identify those responsible; to make recommendations, in particular on accountability measures, all with a view to avoiding and ending impunity and ensuring legal accountability, including individual criminal and command responsibility, for such violations and abuses, and on protecting civilians against any further assaults; and to present an oral update thereon to the Council at its thirty-ninth session and a final, written report at its fortieth session. The Council will hear the oral update by the commission.

8. Follow-up to and implementation of the Vienna Declaration and Programme of Action

Integrating the human rights of women throughout the United Nations system

99. In accordance with its resolution 6/30, the Human Rights Council will hold an annual discussion on the integration of a gender perspective throughout its work and that of its mechanisms (see annex).

National institutions for the promotion and protection of human rights

100. In its resolution 33/15, the Human Rights Council requested the Secretary-General to submit to the Council, at its thirty-ninth session, a report on the implementation of that resolution and a report on the activities of the Global Alliance of National Human Rights Institutions in accrediting national institutions in compliance with the Paris Principles. The Council will consider the reports of the Secretary-General (A/HRC/39/20 and 21) (see para. 37 above).

9. Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

Working Group of Experts on People of African Descent

101. In its resolution 36/23, the Human Rights Council requested the Working Group of Experts on People of African Descent to submit an annual report to the Council on all activities relating to its mandate, in the context of the International Decade for People of African Descent. The Council will consider the report of the Working Group on its twenty-first session, held from 20 to 24 November 2017, and on its twenty-second session, held from 19 to 23 March 2018 (A/HRC/39/69 and Add.1–2).

From rhetoric to reality: a global call for concrete action against racism, racial discrimination, xenophobia and related intolerance

102. In its resolution 36/24, the Human Rights Council requested the High Commissioner, in his capacity as coordinator of the International Decade for People of African Descent, to submit an oral update on his activities in follow-up to the implementation of the programme of activities within the framework of the Decade to the Council at its thirty-ninth session. The Council will hear the oral update by the High Commissioner (see para. 38 above).

10. Technical assistance and capacity-building

Advisory services and technical assistance to Cambodia

103. In its resolution 36/32, the Human Rights Council decided to extend for two years the mandate of the Special Rapporteur on the situation of human rights in Cambodia, and requested her to report on the implementation of her mandate to the Council at its thirty-ninth session. The Council will consider the report of the mandate holder, Rhona Smith (A/HRC/39/73).

Technical assistance and capacity-building in the field of human rights in the Central African Republic

104. In its resolution 36/25, the Human Rights Council decided to renew, for one year, the mandate of the Independent Expert on the situation of human rights in the Central African Republic, and requested her to submit a written report to the Council at its thirty-ninth session. The Council will consider the report of the mandate holder, Marie-Thérèse Keita Bocoum (A/HRC/39/70).

Assistance to Somalia in the field of human rights

105. In its resolution 36/27, the Human Rights Council decided to renew the mandate of the Independent Expert on the situation of human rights in Somalia for a period of one year and requested him to report to the Council at its thirty-ninth session. The Council will consider the report of the mandate holder, Bahame Nyanduga (A/HRC/39/72).

Technical assistance and capacity-building to improve human rights in the Sudan

106. In its resolution 36/26, the Human Rights Council decided to renew the mandate of the Independent Expert on the situation of human rights in the Sudan for a period of one year, and requested him to present a report on the implementation of his mandate, including recommendations on technical assistance and capacity-building, to the Council for

consideration at its thirty-ninth session. The Council will consider the report of the mandate holder, Aristide Nononsi (A/HRC/39/71).

Technical assistance and capacity-building to improve human rights in Libya

107. In its resolution 37/41, the Human Rights Council requested the High Commissioner to present an oral update on the situation of human rights in Libya and the implementation of that resolution to the Council at its thirty-ninth session during an interactive dialogue, with the participation of the Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya. The Council will hear the oral update by the High Commissioner (see para. 39 above).

Human rights, technical assistance and capacity-building in Yemen

108. In its resolution 36/31, the Human Rights Council requested the High Commissioner to establish a group of eminent international and regional experts with knowledge of human rights law and the context of Yemen for a period of at least one year, renewable as authorized. It also requested the Group of Eminent International and Regional Experts to submit a comprehensive written report to the High Commissioner by the time of the thirty-ninth session of the Council, to be followed by an interactive dialogue. In the same resolution, the Council requested the High Commissioner to present to the Council, at its thirty-seventh session, an oral update on the situation of human rights in Yemen and the development and implementation of the present resolution, and to present to the Council at its thirty-ninth session a report on the situation of human rights, including violations and abuses committed since September 2014, as well as on the implementation of technical assistance as stipulated in that resolution. The Council will consider the report of the High Commissioner (A/HRC/39/43) (see para. 40 above).

Technical assistance and capacity-building in the field of human rights in the Democratic Republic of the Congo

109. In its resolution 36/30, the Human Rights Council requested OHCHR to prepare a comprehensive report on the situation of human rights in the Democratic Republic of the Congo, including in the context of the electoral process, and to present it to the Council at its thirty-ninth session in an enhanced interactive dialogue. The Council will consider the report of OHCHR (A/HRC/39/42) (see para. 41 above).

Cooperation with Georgia

110. In its resolution 37/40, the Human Rights Council requested the High Commissioner to continue to provide technical assistance through his office in Tbilisi and to present to the Council a written report on developments relating to and the implementation of that resolution at its thirty-ninth session. The Council will consider the report of the High Commissioner (A/HRC/39/44) (see para. 42 above).

Cooperation with and assistance to Ukraine in the field of human rights

111. In its resolution 35/31, the Human Rights Council invited the High Commissioner to continue to present orally to the States members of the Council and observers the findings of each of the reports of OHCHR on the situation of human rights in Ukraine, as part of the interactive dialogues, until the forty-first session of the Council. The Council will hear the oral presentation by the High Commissioner (see para. 43 above).

Annex

Panels and discussions to be held at the thirty-ninth session of the Human Rights Council

Resolution	*Panel discussion*
18/8 and 36/14 Human rights and indigenous peoples	Annual half-day panel discussion on the rights of indigenous peoples, on the participation and inclusion of indigenous peoples in the development and implementation of strategies and projects in the context of the 2030 Agenda for Sustainable Development (accessible to persons with disabilities)
37/26 Prevention of genocide	High-level panel discussion to commemorate the seventieth anniversary of the Convention on the Prevention and Punishment of the Crime of Genocide
6/30 Integrating the human rights of women throughout the United Nations system	Annual discussion on the integration of a gender perspective throughout the work of the Human Rights Council and that of its mechanisms